

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ADA SOLUTIONS, INC.,

Plaintiff and

Defendant-in-Counterclaim,

v.

ENGINEERED PLASTICS, INC. d/b/a
ARMOR-TILE, ACCESS PRODUCTS
INC. d/b/a ACCESS TILE, and WHITE
CAP CONSTRUCTION SUPPLY, INC.,

Defendants and

Plaintiffs-in-Counterclaim.

Civil Action No. 10-11512-NMG

**DEFENDANTS' ASSENTED-TO MOTION FOR LEAVE TO
FILE PROVISIONAL PATENT APPLICATION UNDER SEAL**

During the hearing on December 8, 2011 concerning the defendants' motion to quash the plaintiff's subpoena to the defendants' counsel, Peter Sollins (Dkt. #103), the Court requested a copy of the Provisional Patent Application No. 61/542,532, which Attorney Sollins had prepared and filed with the Patent Office, and which names as inventors Kenneth E.J. Szekely, David N. Sambrook, and John A. Heffner. Because this application has not yet been made public by the Patent Office and contains highly confidential information, pursuant to Local Rule 7.2, the defendants respectfully request that the Court grant them leave to file the application under seal. Plaintiff's counsel has assented to this motion.

WHEREFORE, the defendants request that the Court grant them leave to file a copy of Provisional Patent Application No. 61/542,532 under seal.

Respectfully submitted,

ENGINEERED PLASTICS, INC., ACCESS
PRODUCTS INC., AND WHITE CAP
CONSTRUCTION SUPPLY, INC.,

By their attorneys,

/s/ David E. Cole

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Dated: December 8, 2011

Certificate Pursuant to Local Rule 7.1(A)(2)

The undersigned hereby certifies that counsel for the defendants conferred with counsel for the plaintiff in an effort to resolve or limit the issues raised by the present motion. The parties were unable to reach agreement.

/s/ David E. Cole

Certificate of Service

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as unregistered participants, on December 8, 2011.

/s/ David E. Cole